



Minutes
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 17, 2013, 7:00 PM
Town Commission Chamber, 535 Park Avenue

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, April 17, 2013 at 7:00 p.m. Present were Mayor James DuBois, Vice-Mayor Kimberly Glas-Castro, Commissioners Michael O'Rourke and Kathleen Rapoza, Town Manager Dale S. Sugerman, Town Attorney Thomas Baird, and Town Clerk Vivian Mendez. Commissioner Erin Flaherty was absent.

Mayor DuBois led the pledge of allegiance. Town Clerk Vivian Mendez performed the Roll Call.

SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Recognizing April 26, 2013 as National Arbor Day

Town Manager Sugerman introduced the item (see attached Exhibit "A")

Mayor DuBois read the proclamation.

Public Works Director Hunt explained that the Arbor Day celebration will be in the median of Flagler Boulevard just east of Seminole Boulevard. He stated that there will be approximately seventy (70) school children to celebrate with the Town.

PUBLIC COMMENT:

Jerry Rapoza, 801 Lake Shore Drive, stated that based on the comments regarding ET Security at the CRA meeting on April 3, 2013 there needs to be an improvement to provide the proper level of security. He stated that on April 11, 2013 at approximately 2:30 am several businesses on Park Avenue were broken into through the front door of the businesses. He requested to receive a copy of the contract for the present security company. He asked what areas of the buildings do they patrol, does it include the Marina; who owns the security vehicle; what hours do they work; what are their duties; and are they spelled out in the contract. Do they leave the vehicle and check the doors of the back of the buildings; who pays for the gas; insurance; and maintenance of the vehicle. Are daily reports submitted to the CRA; and if not why; who, if anyone, reviews these reports; is there a supervisor on duty to oversee the security guards. Who reviews the timesheets; how many bids were received; and what is the difference in payment to the security company versus Palm Beach Sheriff's Office. He offered his services as a volunteer to ride along with the current security company and evaluate their performance and submit a written report to the CRA regarding the services and suggestions for improvement.

Mayor DuBois stated that the hours they patrol was not specified at the public meeting. He asked Town Manager Sugerman if Mr. Rapoza can work with him.

Town Manager Sugerman stated “yes” and requested that Mr. Rapoza contact him during business hours.

Mayor DuBois thanked Mr. Rapoza for offering his services.

Diane Bernhard, 301 Lake Shore Drive, urged the Commission to move forward with considering and voting on the recommendations from the Marina Task Force. She discussed the configuration of the parking lots, the Interlocal Agreement with Palm Beach County, traffic flow, Lake Shore Drive, the wall at the Marina, and the Marina Task Force recommendations. She suggested that the Commission appoint another Task Force with a wider scope to discuss ways to make the entire Marina a better utilized and more profitable facility.

Mayor DuBois asked if the Task Force recommendations are scheduled for a future agenda.

Town Manager Sugerman stated “not yet”.

Mayor DuBois suggested that this item be taken up under “New Business” or “Commissioner Comments”. He discussed the Interlocal Agreement with Palm Beach County and actions taken by the Town. He stated that the wall at the Marina is already scheduled as an administrative action.

Town Manager Sugerman stated that the contractor has already received the permit to tear down the wall and that it is his understanding that it will be completed before the end of the month.

Carl Macan, 5480 N. Ocean Drive, Singer Island, stated that he is a Citizen on Patrol (COP) volunteer with the Palm Beach County Sheriff’s Office and he meets a lot of the member of the community. He commented that Kelsey Park is beautifully maintained and recognized Walter Thomas, Public Works Employee, for his hard work and courteous demeanor.

CONSENT AGENDA:

Vice-Mayor Glas-Castro requested that item 4, Approving an Outside Activity of the Town Manager be pulled from the Consent Agenda.

- 2. Regular Commission Meeting Minutes of April 3, 2013**
- 3. Commission Orientation Workshop Minutes of April 3, 2013**
- 4. Approving an Outside Activity of the Town Manager**
- 5. Marina Security Services Contract Renewal- U.S. Security Associates, Inc.**

Motion: A motion was made by Commissioner O’Rourke to approve the Consent Agenda Items 2, 3, and 5; Vice-Mayor Glas-Castro made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

4. Approving an Outside Activity of the Town Manager

Vice-Mayor Glas-Castro stated that Town Manager Sugerman is asking for approval to do outside professional activities on his vacation time which she understands is part of his contract to request permission from the Commission for these types of activities. She stated that she personally does not care what Town Manager Sugerman does on his vacation time, but her concern is the timing of when he is going to be taking these vacation days because there has been discussion regarding holding workshops. She is concerned that there will be conflicts in timing with schedules.

Town Manager Sugerman stated that the schedule of the Town and Commission would come first and that at this point this engagement is only for three days, subject to the Commission's approval of this item. His request is for May 8th, 9th and 10th, 2013.

Vice-Mayor Glas-Castro asked if the Commission should start providing their schedules so that Town Manager Sugerman is aware of what dates he would need to work around.

Town Manager Sugerman stated "yes".

Motion: A motion was made by Commissioner O'Rourke to approve the Town Manager to use accumulated vacation leave for no more than 2 or 3 days at a time for purposes of conducting outside professional training activities with a private, Chicago-based business; Vice-Mayor Glas-Castro made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

BOARD MEMBERSHIP APPOINTMENTS:

6. Re-appointment to the Planning and Zoning Board

Town Clerk Mendez advised that Natalie Schneider has been re-appointed to the Planning and Zoning (see attached ballots Exhibit "B").

Mayor DuBois congratulated Ms. Schneider and thanked her for her services.

Commissioner O'Rourke thanked Ms. Schneider for her service on the Planning and Zoning Board.

OLD BUSINESS:

None

PUBLIC HEARINGS - ORDINANCE ON FIRST READING:

None

PUBLIC HEARINGS - ORDINANCE ON SECOND READING/QUASI-JUDICIAL:

7. Amending the Town Charter at Article IV, Section 4 Entitled "Filling of Vacancy on Commission".

Attorney Baird explained the item (see attached Exhibit "C").

Motion: A motion was made by Vice-Mayor Glas-Castro to approve the Ordinance Amending the Town Charter at Article IV, Section 4 Entitled "Filling of Vacancy on Commission" on Second Reading; Commissioner Rapoza made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Attorney Baird read the Ordinance into the record by title only.

NEW BUSINESS:

8. American Red Cross Community Courage Awards

Town Manager Sugerman explained the item (see attached Exhibit "D").

Commissioner Rapoza nominated Deputy Brandon Milliner in the category of Law Enforcement for his heroic acts on Friday, March 29, 2013.

Motion: A motion was made by Commissioner Rapoza to nominate Deputy Brandon Milliner for the American Red Cross Community Courage Award in the Law Enforcement category; Vice-Mayor Glas-Castro made the second.

Vice-Mayor Glas-Castro asked if anything further needed to be done for the nomination.

Town Manager Sugerman stated that the nomination form would be submitted with the Nominator Name being the Commission of the Town of Lake Park, a cover letter from the Town describing the Commission's actions at this meeting, and that the report Commissioner Rapoza provided will be attached to describe in detail Deputy Milliner's actions.

Commissioner O'Rourke suggested that the Town Commission acknowledge the actions of Deputy Milliner with a Proclamation.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Motion: A motion was made by Commissioner O'Rourke to recognize Deputy Brandon Milliner through Proclamation from the Town thanking him for his courageous service; Vice-Mayor Glas-Castro made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

Town Manager Sugerman stated that the Proclamation would be presented no earlier than the May 15, 2013 meeting if Deputy Milliner is available.

9. Mid-Year Budget Review and Adjustments

Town Manager Sugerman explained the item (see attached Exhibit "E").

Motion: A motion was made by Commissioner O'Rourke to approve Resolution 09-04-13; Vice-Mayor Glas-Castro made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

10. Authorizing the Mayor to Execute a Phase 2 Scope of Work Agreement with Simmons & White, Inc. for Professional Services Associated with Lake Park Harbor Marina Soil and Paver Brick Settlement Correction Methods at the Seawall.

Town Manager Sugerman explained the item (see attached Exhibit "F"). He stated that Rob Rennebaum, President of Simmons and White is present to answer questions.

Commissioner O'Rourke stated that it is his understanding that by utilizing the Ground Penetrating Radar (GPR) that it will save the Town time and money because holes will not have to be dug to figure out the problem and asked if that is correct.

Mr. Rennebaum stated that they hope the GPR will provide that information. There are two (2) goals: (1) to be able to run the GPR machine on top of the plywood without having to remove it to be able to identify voids. If that does not work then goal two (2) is to remove the plywood shoot through the pavers and identify the voids under the pavers. He stated that there will be a trial period to determine what method would be best or if there is no need to go further because the GPR will not work for this particular application.

Commissioner O'Rourke asked what happens if the GPR does not provide answers.

Mr. Rennebaum stated that probably some width of the pavers along the entire seawall length would have to be removed to observe the conditions. The width would be between two (2) and four (4) feet from the seawall.

Commissioner O'Rourke asked if it is anticipated that the GPR services will provide the answers.

Mr. Rennebaum stated "yes".

Vice-Mayor Glas-Castro asked if the paver issue was due to the original construction defects or something that has occurred over time.

Mr. Rennebaum stated that his personal opinion from the four (4) times he has been to the Marina with Town staff was that the problem is a combination of both. He thinks that all pavers, all seawalls, and backfills leak to some degree and continue to have ongoing maintenance needs. He stated that the goals are to correct the issues and to minimize the ongoing maintenance. He thinks that there are some construction defects around the gaps between the panels, the installation of the filter fabric between the panels, and installation

of the grout joint between the panels. He stated that it is their job now to figure out a solution to these issues and slow down to the greatest extent possible the soil seepage that is causing the depression in the pavers.

Commissioner Rapoza stated that she wants a guarantee that this process will find a long term solution.

Mr. Rennebaum stated that finding a long term solution is the goal.

Commissioner Rapoza asked about the use of sub-consultants.

Mr. Rennebaum explained that he is a civil engineer with some experience in coastal engineering and seawalls but he is not a structural engineer. Public Works Director Hunt and Project Manager Richard Pittman suggested that a structural engineer that specializes in coastal construction, a geotechnical (soils) engineer that specializes in seawalls and marina engineering, and a marine contractor that builds and repairs seawalls be brought in as consultants. Then all four (4) parties would develop independent suggestions and ideas to resolve the paver issue. He explained that he has professional contacts in all of those fields and in conjunction with Town staff, a structural engineer, geotechnical engineer, and a marine contractor were selected. From this point forward it has been determined in order to provide the best results that himself and the three (3) sub-contractors will be working together to provide one (1) solution.

Mayor DuBois asked if voids are what the GPR is looking for and to analyze where the voids are between the wall and the brick pavers.

Mr. Rennebaum stated "yes" and that a lot of the voids are apparent because of where the depressed pavers are located. He explained that because of the tight configuration of the pavers and just the tightness and the fiction of the pavers suspend the pavers over the depressions and they want to make sure that none of these are missed.

Mayor DuBois asked if the GPR through the plywood and the brick pavers does not yield results would removing some the pavers be the next step.

Mr. Rennebaum explained that it would be a required next step to be able to bid the project the work involved needs to be quantified.

Mayor DuBois asked if once the pavers are removed if the GPR would be used.

Mr. Rennebaum thinks that it would be evident and that they would tamp and prod and see where the voids are located.

Mayor DuBois asked if instead of looking vertically could they look horizontally through the seawall to find the voids with the GPR.

Mr. Rennebaum stated that he is unaware of using that process but that he would consult with the GPR firm if that is a consideration.

Motion: A motion was made by Commissioner O'Rourke to authorizing the Mayor to Execute a Phase 2 Scope of Work Agreement with Simmons & White, Inc. for Professional Services Associated with Lake Park Harbor Marina Soil and Paver Brick Settlement Correction Methods at the Seawall; Commissioner Rapoza made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

11. Discussion about the Pending Site Plan for the Palm Beach County Scrub Area

Town Manager Sugerman explained the item (see attached Exhibit "G").

Commissioner O'Rourke stated that he is interested in discussing how the Nature Center and amenities would come to be and what would be the right way to develop that area. His main concern are rushing into the development of this property, and having an entrance on Silver Beach Road. He stated that by having an entrance on Silver Beach Road the area would be conceded to Riviera Beach. He does not have an issue with Riviera Beach, but this property is located within Lake Park and wants the entrance to be convenient for Lake Park residents. He stated that he would like to see the development of the Park Avenue Extension with an entrance to the scrub area. He stated that a discussion with the County should take place about when the Park Avenue Extension needs to be done in order for the Town to be able to properly develop the Town. He stated that he is also concerned about putting that entrance on Silver Beach Road because he thinks that there may be more security concerns in that area because it is on the border of the Town. He suggested that these concerns be brought to the County.

Vice-Mayor Glas-Castro stated that if the Park Avenue Extension was already going through that it would make for a logical location for the entrance to the scrub area for the concerns regarding safety and image. She thinks that a temporary road or driveway could be connected from 12th Street into the preserve area. She stated that topography concerns were mentioned regarding the slope of ADA (Americans with Disabilities Act) path but thinks it can be engineered around. She thinks an entrance from the Park Avenue Extension makes a more logical and long-term appropriate location rather than along Silver Beach Road.

Commissioner O'Rourke stated that he walked the area and that one can get to the property via Watertower Road and Joule Roads. He stated that he concurs with Vice-Mayor Glas-Castro regarding a possible temporary entrance in the area. His goal is for Palm Beach County to understand that the Town needs a long term vision of who we are as the Town of Lake Park and that the Commission sees giving greater access to the Town as a positive thing with a developed Park Avenue area.

Commissioner Rapoza concurred with Vice-Mayor Glas-Castro and Commissioner O'Rourke.

Mayor DuBois stated that having the entrance on the Park Avenue Extension appears to make much better projects for both the Park Avenue Extension and the conservation area. He stated that if the Park Avenue Extension is not complete to Old Dixie that there has been discussion with one of the property owners to complete a portion of the Park Avenue Extension as a contribution to impact fees. He stated that when the Town met with the Army there looked to be a very good opportunity to create an entryway from the Army Reserve Center to the Park Avenue Extension. This would take traffic impact off Silver Beach Road by spreading traffic service from one (1) intersection to two (2) intersections, which usually improves level of service and tends to help transportation performance at both intersections. He was concerned about failing the intersection link at Silver Beach Road and Congress Avenue with traffic from the Army Reserve. He stated that he does not know what kind of traffic impact the Army will have in that area and that everyone else has to live with the impact. He stated that construction is on-going on the Army property and he does not know if the Town was successful in providing a second outlet. He discussed the development of the adjacent property by the private property owners and the Park Avenue Extension and the possibility of the Army connecting via a second outlet. He discussed the creation of better access throughout the area. He asked if the Army is considering connecting to the proposed Park Avenue Extension and if the private property owner is still moving forward with plans to build their portion of Park Avenue. He asked if Park Avenue cannot be extended all the way to Old Dixie, can it be put through to Jule Road to connect some of the industrial areas.

Town Manager Sugerman stated that Mayor DuBois covered a lot and a variety of issues. He stated that the previous Town Commission that modified the zoning, created a new zoning district and approved the placement of the scrub area within that zoning district. None of these actions had anything to do with the improvements to the Nature Center and the Trails in the scrub area. However, the prior Town Commission tied a discussion of the approval of those three (3) items to what is the County's intent for improving the Nature Center and the Trails in the scrub area. He stated that Rob Robbins from the Palm Beach County Environmental Resource Management stood before the previous Town Commission and said that there are not specific plans to move forward with developing the Nature Center and Trails but for the fact that it will happen in the next five years. The previous Commission told Mr. Robbins to come back to one of the next meeting and make a commitment to the Town to do the Nature Center and Trails. He stated that Mr. Robbins came before the prior Commission and committed that Palm Beach County will submit a site plan for approval for the Nature Center and the Trails within the next eighteen (18) to twenty-four (24) months. Mr. Robbins committed that Palm Beach County would submit a site plan, but if the project is going to be advanced from a five (5) year calendar to eighteen (18) to twenty-four (24) months calendar that the design plans would be designed with the entranceway into the scrub area off Silver Beach Road. He believes that Mayor DuBois stated that he was not happy with that and that a main entranceway off the proposed Park Avenue Extension would be better. He stated that Mr. Robbins offered to submit the site plan for approval with the entrance off Silver Beach Road and an alternative proposal for an entranceway off the proposed Park Avenue

Extension. He believes that the commitment to submit the site plan in the next eighteen (18) to twenty-four months (24) was because of the prior Commission's desire to move this project forward sooner rather than later. He stated that nobody is taking responsibility for completing the Park Avenue Extension and that there is no indication that the Park Avenue Extension will happen at all unless there is some development by adjacent property owners and they are required to contribute their portion to the Park Avenue Extension. He stated that if this Commission would like to send a message to the County that a site plan with only a Silver Beach Road entrance is going to be significantly scrutinized and possibly not approved, then he thinks the County would like to know that as soon as possible.

Mayor DuBois stated that the Town has been trying for some time to have the proposed Park Avenue Extension completed. He stated that it seems valuable to find one way or another if the Park Avenue Extension is going to be completed or if segments of the Park Avenue Extension can be completed. He commented that there is a possibility of gaining entrance to the scrub area from Joule Road and the Park Avenue Extension would not be needed. His preference is to direct the Town staff with a motion to continue pursuing the Park Avenue Extension and any alternative entryway from the proposed Park Avenue Extension or Joule Road and what it would require to fund the connection from Joule Road to the scrub area. He asked staff to find out if the Army is willing to have a connection to the proposed Park Avenue Extension. He discussed the need for master planning in the Town.

Town Manager Sugerman stated that staff is continually working on the proposed Park Avenue Extension.

Commissioner O'Rourke suggested that the agenda item be a discussion of a master plan for that area.

Town Manager Sugerman stated that there is no master plan for this area, but that is not this agenda item. He explained the purpose of this agenda item and stated that based on the debate that the item is going to lead to an action that will contradict the action of the previous Commission. He stated that the Town owes it to the County to advise of the change in direction as quickly as possible.

Vice-Mayor Glas-Castro stated that the Commission still wants the Nature Center and Trails developed sooner rather than later, but the Commission prefers the northern entrance and that there is a temporary solution with a driveway off Joule Road or 12th Avenue and it does not have to wait for the Park Avenue Extension. She stated that this information needs to be communicated to the County.

Town Manager Sugerman stated that the Commission needs to take formal action to communicate this information to the County due to the actions of the prior Commission.

Mayor DuBois wants the County to know that the Town wants to pursue to an end how the entrance to the scrub area can be from the Park Avenue Extension. He stated that the Commission can decide that the entrance to the Nature Center will be at Joule Road regardless of the Park Avenue Extension.

Commissioner O'Rourke asked for consensus from the Commission to direct staff to let the County know that the Commission would prefer that the entrance to the scrub area to not be on Silver Beach Road and for the entrance to be on the northern part of the property.

Town Manager Sugerman stated that the Commission needs to be direct with what the Commission wants and if the Commission does not want the County to submit a site plan for the scrub area with an entrance on Silver Beach Road then that needs to be communicated.

Vice-Mayor Glas-Castro stated that she does not want the communication to be for the County not to submit a site plan, but that the County submit a site plan with a northern entrance.

Commissioner O'Rourke concurred with Vice-Mayor Glas-Castro.

Attorney Baird offered that the Commission make a motion to direct staff to inform the County that the Commission's preference is that the site plan to be revised to reflect an entrance off of Joule Road or Park Avenue Extension.

Motion: A motion was made by Commissioner O'Rourke to direct staff to inform Palm Beach County that the Commission's preference is that the site plan for the Scrub Area be revised to reflect an entrance off of Joule Road or Park Avenue Extension; Commissioner Rapoza made the second.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

Motion passed 4-0.

TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:

Attorney Baird stated that the Sober House bill has died. He stated that the bill passed in the Senate and was not supported in the House. He stated as a result what has been adopted by the House and Senate is a proviso directing the Department of Children and Families to work with interested parties including local governments and to include funding in their budget to address Sober Houses in the next Legislative Session.

Mayor DuBois asked who is the proviso from.

Attorney Baird stated the proviso is from the Senate.

Mayor DuBois asked how the bill failed in the House.

Town Manager Sugerman stated that the draft bill was assigned to four (4) House Committees and that the first House Committee did not schedule the bill for a hearing and the Committee went sine die and since the bill was not scheduled for a hearing by the first Committee the bill does not move on.

Town Manager Sugerman stated that Friday, April 26, 2013 from 5:00pm to 8:00 pm is the Sunset Celebration at the Marina. He distributed the Comprehensive Annual Financial Report (CAFR) to the Commission and stated that it will be formally presented at the May 1, 2013 Commission meeting. He offered to meet with the Commission one-on-one to discuss the CAFR.

Mayor DuBois asked if there are any deficiencies in the CAFR.

Town Manager stated “yes” that there are three (3) deficiencies and are all disclosed in the document.

Commissioner Rapoza stated that she is glad that Natalie Schneider was re-appointed to the Planning and Zoning Board. She stated that she would like to move forward with the vision for the Town by having a workshop.

Vice-Mayor Glas-Castro asked if a motion is needed to direct staff to coordinate schedules.

Town Manager Sugerman stated “no” and explained that the Commission can discuss their schedules now or staff can survey the Commission regarding availability. He stated that once a date is determined the workshop would be set by a motion.

Commissioner Rapoza suggested that since there are several topics that the Commission wants to have a workshop on that the dates be set at the same time. She stated that surveying the Commission for availability is fine with her.

Town Manager Sugerman suggested that the Commission be surveyed and that each Commissioner provide a half a dozen dates within the next thirty (30) days.

Commissioner O’Rourke stated that there are opening on Town Boards and Committees and encouraged residents to apply. He stated that the iPad is very useful and encouraged residents to contact him with their comments, concerns and issues. He thanked the Community Watch for their hard work and dedication to the Town. He stated that there are legitimate organizations that run Sober Houses that can be allies of the Town on this issue and that these organizations want regulations. He stated that he visited the business on Park Avenue related to the shared parking issue and that these businesses are a great addition to Lake Park. He stated that at 800 Park Avenue is the Artist of Palm Beach County and that their website is ArtistofPalmBeachCounty.org and encouraged residents to visit and participate in the events.

Vice-Mayor Glas-Castro asked about scheduling the Marina Task Force recommendations for an upcoming Commission meeting.

Motion: A motion was made by Vice-Mayor Glas-Castro to direct staff to schedule for discussion the Marina Task Force recommendations at a future Commission Meeting; Commissioner O'Rourke made the second.

Town Manager Sugerman stated that the next available agenda would be the May 15, 2013 Commission meeting.

Vice-Mayor Glas-Castro asked that the Task Force members and others interested in the Marina be advised of the date the item will be on the agenda.

Town Manager Sugerman stated that the Task Force recommendations are on the Town's webpage.

Vote on Motion:

| Commission Member | Aye | Nay | Other |
|------------------------|-----|-----|--------|
| Commissioner Flaherty | | | Absent |
| Commissioner O'Rourke | X | | |
| Commissioner Rapoza | X | | |
| Vice-Mayor Glas-Castro | X | | |
| Mayor DuBois | X | | |

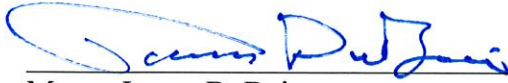
Motion passed 4-0.

Vice-Mayor Glas-Castro stated that she is concerned with the safety issues related to the shared parking and shared access issue on Park Avenue. She feels that even though there is not any formal shared access agreement that the Town has some obligation to improve the safety situation. She suggested that when the property owner, Sue-Ellen Mosler brings forward plans for a curb cut and driveway to remedy the situation that the Town would assist by expediting the review, waiving fees and similar that are within the Town's authority and ability.

Mayor DuBois he stated that he has made it a habit to return emails and phone calls as quickly as possible.

ADJOURNMENT

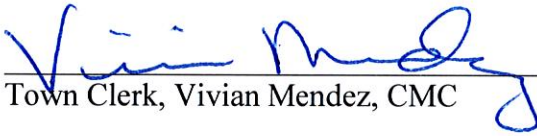
There being no further business to come before the Commission and after a motion to adjourn by Commissioner Rapoza and seconded by Commissioner O'Rourke, and by unanimous vote, the meeting adjourned at 8:55 p.m.



Mayor James DuBois



Deputy Town Clerk, Shari Canada, CMC



Town Clerk, Vivian Mendez, CMC



FLORIDA

Approved on this 2 of May, 2013



Exhibit "A"
4/17/2013

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 17, 2013

Agenda Item No. *Tab 1*

Agenda Title: Proclamation recognizing April 26, 2013 as National Arbor Day

- [X] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[] PUBLIC HEARING ORDINANCE ON _____ READING
[] NEW BUSINESS: RESOLUTION [] DISCUSSION FOR FUTURE ACTION
[] OTHER: _____

Approved by Town Manager *DSS* Date: 4/3/13

David Hunt/Public Works Director

Name/Title

| | | |
|---|--|--|
| Originating Department: Public Works | Costs: \$ 150.00 Funding Source: DPW, Grounds Maintenance Div. Acct. # 406 - 52000 [X] Finance <u><i>BKR</i></u> | Attachments: Proclamation |
| Advertised: Date: _____ Paper: _____ [X] Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone <u><i>gob</i></u> or Not applicable in this case _____ Please initial one. |

Summary Explanation/Background: Each year, the Town of Lake Park celebrates National Arbor Day by inviting school children from local schools to participate in the Arbor Day Event with poems, songs and drawings honoring trees. This year, the National Arbor Day observance will take place in the Flagler Boulevard Median at 10:30 a.m. on Friday, April 26, 2013. An oak tree donated by Chris Wayne and Associates will be planted to replace a tree lost during the hurricanes. The Public Works Department will be coordinating the event. The anticipated \$150.00 cost will cover refreshments and has been budgeted for this event.

Recommended Motion: Proclaim April 26, 2013 as National Arbor Day.

Exhibit "B"
4/17/13

BALLOT

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING AND ZONING BOARD WITH TWO ALTERNATES. WE HAVE ONE APPLICANT FOR RE-APPOINTMENT TO THIS BOARD AS A REGULAR MEMBER.

Regular Member

Natalie Schneider

Yes

No

✓

BALLOT

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING AND ZONING BOARD WITH TWO ALTERNATES. WE HAVE ONE APPLICANT FOR RE-APPOINTMENT TO THIS BOARD AS A REGULAR MEMBER.

Regular Member

Natalie Schneider

Yes

No

✓

BALLOT

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING AND ZONING BOARD WITH TWO ALTERNATES. WE HAVE ONE APPLICANT FOR RE-APPOINTMENT TO THIS BOARD AS A REGULAR MEMBER.

Regular Member

Natalie Schneider

Yes

No

☒

☐

BALLOT


MAYOR/COMMISSIONER

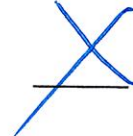
THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING AND ZONING BOARD WITH TWO ALTERNATES. WE HAVE ONE APPLICANT FOR RE-APPOINTMENT TO THIS BOARD AS A REGULAR MEMBER.

Regular Member

Natalie Schneider

Yes

No



BALLOT

Flaherty - Absent

MAYOR/COMMISSIONER

THE TOWN COMMISSION MAY APPOINT A FIVE MEMBER PLANNING AND ZONING BOARD WITH TWO ALTERNATES. WE HAVE ONE APPLICANT FOR RE-APPOINTMENT TO THIS BOARD AS A REGULAR MEMBER.

Regular Member

Yes

No

Natalie Schneider

Exhibit "c"
4/17/2013



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 3, 2013

Agenda Item No. Tab 7

Agenda Title: An Ordinance Amending the Town Charter Dealing with the Filling of Vacancies on the Town Commission

- | | | | |
|-------------------------------------|--------------------------------------|-------------------------------------|------------------------------|
| <input type="checkbox"/> | SPECIAL PRESENTATION/REPORTS | <input type="checkbox"/> | CONSENT AGENDA |
| <input type="checkbox"/> | BOARD APPOINTMENT | <input type="checkbox"/> | OLD BUSINESS |
| <input checked="" type="checkbox"/> | PUBLIC HEARING ORDINANCE ON <u>2</u> | | READING |
| <input type="checkbox"/> | NEW BUSINESS: RESOLUTION | <input checked="" type="checkbox"/> | DISCUSSION FOR FUTURE ACTION |
| <input type="checkbox"/> | OTHER: _____ | | |

Approved by Town Manager _____

DSS

Date: 3/20/13

DALE S. SUBERMAN / TOWN MANAGER
Name/Title

| | | |
|---|--|--|
| Originating Department: Town Attorney | Costs: \$ 0.00 Funding Source: Acct. # [] Finance _____ | Attachments: Draft Ordinance |
| Advertised: Date: _____ Paper: _____ [X] Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone _____ or Not applicable in this case <u>DSS</u> Please initial one. |

Summary Explanation/Background:

At a prior Town Commission meeting, then Commissioner Longtin asked that the newly seated Commission consider taking up a discussion concerning changing the Town Charter dealing with the filling of vacancies on the Town Commission. A copy of the draft ordinance is attached for purposes of discussion.

Recommended Motion:

None needed as this is a discussion item only.



Exhibit "D"
4/17/13

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 17, 2013

Agenda Item No. Tab 8

Agenda Title: American Red Cross Community Courage Awards

- ☐ SPECIAL PRESENTATION/REPORTS ☐ CONSENT AGENDA
☐ BOARD APPOINTMENT ☐ OLD BUSINESS
☐ PUBLIC HEARING ORDINANCE ON ____ READING
☒ **NEW BUSINESS**
☐ OTHER: _____

Approved by Town Manager _____

Date: 4/1/13

Vivian Mendez, Town Clerk

Name/Title

| | | |
|--|--|---|
| Originating Department: Commissioner Rapoza | Costs: \$ Funding Source: Acct. # <input type="checkbox"/> Finance _____ | Attachments: Memorandum from the American Red Cross Community Courage Awards Nomination Form |
| Advertised: Date: _____ Paper: _____ <input checked="" type="checkbox"/> Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone _____ or Not applicable in this case <u>V.M</u> Please initial one. |

Summary Explanation/Background: The American Red Cross hosts the Community Courage Awards each year. They are asking the public to nominate "everyday heroes" who have gone above and beyond the scope of his or her job or personal responsibility to save a life or help someone in critical need within the nine (9) categories, that are listed on the attached nomination form.

Commissioner Rapoza requested that this item be considered by the Commission to collectively make a nomination for the American Red Cross Community Courage Awards. The Community Courage Award will be presented at a luncheon to be held on June 19, 2013 at the Kravis Center in West Palm Beach. The nomination deadline is April 29, 2013.

Recommended Motion:



COMMUNITY
COURAGE
AWARDS
Ordinary People Extraordinary Courage

825 Fern Street
West Palm Beach, FL 33401
www.redcross.org

Town Of Lake Park
Town Clerk's Office

MAR 20 2013

RECEIVED

All
Received

MEMO

To: Public Officials and Community Representatives in Palm Beach, Martin, Indian River, St. Lucie, and Okeechobee Counties

From: American Red Cross Palm Beaches-Treasure Coast Region

Subject: Community Courage Awards

Date: March 18, 2013

Each year the American Red Cross hosts the Community Courage Awards. We ask the public to nominate "everyday heroes" - ordinary people who have gone above and beyond the scope of his or her job or personal responsibility to save a life or help someone in critical need. We are asking for your help in identifying these very special "Heroes." **Please see the 9 categories listed on the attached nomination form.**

Our selection committee, compiled of local media and community leaders, will choose one winner in each category who will be honored and presented with their award at our Community Courage Awards Luncheon to be held on June 19th at the Kravis Center in West Palm Beach. WPBF 25 News is once again serving as our Presenting Sponsor.

Please take the time to read through the nomination form and the requirements for qualification. Be sure to include as much detail as possible about the nominee's heroic actions. You may either send us your completed form by mail, fax, or email. **The deadline for nominations is April 29, 2013.**

Mail: Alison Freeman: 825 Fern Street, West Palm Beach FL 33401
Fax: 561.650.9139
Email: Alison.Freeman@redcross.org

For more information, please contact Alison Freeman via phone or email indicated above.

DO YOU KNOW A REAL HERO?



June 19, 2013

A LOCAL HERO IS:

Someone living in Palm Beach, Martin, Indian River, St. Lucie or Okeechobee counties who have performed a heroic act between 5/1/2012-4/25/2013 in one of the following categories:

CATEGORIES:

Fire Rescue, Law Enforcement, Medical, Good Samaritan Adult, Good Samaritan Youth, Military, Animal Rescue, Educator and Marine Rescue

****ALL NOMINATIONS MUST BE IN BY APRIL 29, 2013****

Nominator Name: _____

Nominator contact information: _____

Nominee Name: _____

Category: _____

Address: _____ Email: _____

City: _____ St: _____ Zip: _____ Phone: _____

Heroic Act:

Please submit additional sheets to describe your hero's actions and provide as much detail as possible.

Submit nominations to Alison Freeman at Alison.Freeman@redcross.org or by mail:
American Red Cross: 825 Fern Street, West Palm Beach, FL 33401 by April 29, 2013



Exhibit "E"
4/17/13

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: 4/17/2013

Agenda Item No. Tab 9

Agenda Title: MID-YEAR BUDGET REVIEW AND ADJUSTMENTS

- | | | | |
|-------------------------------------|-----------------------------------|--------------------------|------------------------------|
| <input type="checkbox"/> | SPECIAL PRESENTATION/REPORTS | <input type="checkbox"/> | CONSENT AGENDA |
| <input type="checkbox"/> | BOARD APPOINTMENT | <input type="checkbox"/> | OLD BUSINESS |
| <input type="checkbox"/> | PUBLIC HEARING ORDINANCE ON _____ | | READING |
| <input checked="" type="checkbox"/> | NEW BUSINESS: RESOLUTION | <input type="checkbox"/> | DISCUSSION FOR FUTURE ACTION |
| <input type="checkbox"/> | OTHER: _____ | | |

Approved by Town Manager

[Signature]

Date:

4/3/13

Blake K. Rane, Finance Director

[Signature]

Name/Title

| | | |
|---|--|---|
| Originating Department: FINANCE | Costs: See Attachment A Funding Source: Acct. # [X] Finance ___BKR___ | Attachments: Resolution, Mid-year Budget Adjustment Itemization (Attachment "A"), and Narrative |
| Advertised: Date: _____ Paper: _____ [X] Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone _____ or Not applicable in this case _BKR_ Please initial one. |

Summary Explanation/Background:

There is attached a narrative and a schedule (Attachment "A") that lists the significant items that need to be adjusted for the Town of Lake Park 2012-13 Budget.

Recommended Motion:

It is recommended that the Town Commission approve the attached resolution.

RESOLUTION NO. 09-04-13

**A RESOLUTION OF THE TOWN COMMISSION OF
THE TOWN OF LAKE PARK, FLORIDA,
AMENDING THE TOWN BUDGET FOR FISCAL
YEAR 2012-2013 AS PREVIOUSLY ADOPTED BY
RESOLUTION NO. 25-09-12; PROVIDING FOR
SEVERABILITY; PROVIDING FOR THE REPEAL
OF LAWS IN CONFLICT; AND PROVIDING FOR
THE EFFECTIVE DATE THEREOF.**

WHEREAS, the Town Commission has previously established the budget for the Town of Lake Park for the fiscal year beginning October 1, 2012 and ending September 30, 2013; and

WHEREAS, at the time of its adoption, the budget properly reflected expected revenues and appropriations; and

WHEREAS, to implement this budget, the Town Commission adopted and levied by Resolution No. 28-09-12 a final millage rate for the Fiscal Year 2012-2013; and

WHEREAS, the Town Commission deems it necessary and advisable to amend the budget for the Town of Lake Park for Fiscal Year 2012-2013, which was adopted by Resolution No. 25-09-12.

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN
COMMISSION OF THE TOWN OF LAKE PARK FLORIDA:**

Section 1. An amended final budget of the Town of Lake Park General Fund is hereby approved and adopted as set forth in the attached Mid-Year Budget Adjustment Itemization (Attachment "A").

Section 2. The Town Manager is hereby authorized to amend/transfer between departmental accounts provided; however, that total appropriated expenditures by fund do not exceed Commission authorized amounts.

Section 3. If any section, subsection, sentence, clause, phase or portion of the Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This resolution shall take effect immediately upon adoption.

Mid-Year Budget Adjustment Itemization**April 17, 2013****ATTACHMENT "A"****General Fund**

| | Proposed Change | Totals |
|--|--------------------|---------------------|
| Revenue | | |
| Total General Fund Budgeted Revenue | | \$ 8,261,402 |
| Rent - at Cell Tower (Metro PCS) 001-362.122 | \$ (10,200) | |
| Reimbursement - PBSO Fuel 001-380.302 | (85,000) | |
| Total Revenue Changes | <u>\$ (95,200)</u> | <u>(95,200)</u> |
| Adjusted General Fund Budgeted Revenue | | <u>\$ 8,166,202</u> |

Expenses

| | | |
|---|--------------------|---------------------|
| Total General Fund Budgeted Expense | | \$ 8,261,402 |
| PBSO - Fuel 001-52-521-200-52100 | \$ (80,000) | |
| Contributions - Retired Police Officer F 001-51-589-900-91601 | (26,242) | |
| Transfer to Fund Balance 001-51-589-900-99907 | 11,042 | |
| Total Expense Changes | <u>\$ (95,200)</u> | <u>(95,200)</u> |
| Adjusted General Fund Budgeted Expenses | | <u>\$ 8,166,202</u> |

Marina Fund

| | Proposed Change | Totals |
|---------------------------------------|---------------------|---------------------|
| Revenue | | |
| Total Marina Fund Budgeted Revenue | | \$ 2,007,828 |
| Wet Slips 401-347.512 | \$ (289,000) | |
| Gasoline Sales 401-369.200 | (45,000) | |
| Diesel Sales 401-369.201 | (39,975) | |
| Total Revenue Changes | <u>\$ (373,975)</u> | <u>(373,975)</u> |
| Adjusted Marina Fund Budgeted Revenue | | <u>\$ 1,633,853</u> |

Expenses

| | | |
|--|---------------------|---------------------|
| Total Marina Fund Budgeted Expense | | \$ 2,007,828 |
| Repairs - Construction Deficiency 401-57-579-800-48050 | \$ 35,000 | |
| Promotional Activities 401-57-579-800-48000 | 4,500 | |
| Promotional - Sunset Celebration 401-57-579-800-48045 | 2,500 | |
| Advertising 401-57-579-800-48100 | 7,000 | |
| Gasoline 401-57-579-800-52110 | (24,150) | |
| Diesel 401-57-579-800-52120 | (26,192) | |
| Transfer to Fund Balance 401-57-579-800-99907 | (372,633) | |
| Total Expense Changes | <u>\$ (373,975)</u> | <u>(373,975)</u> |
| Adjusted Marina Fund Budgeted Expenses | | <u>\$ 1,633,853</u> |

Mid-Year Budget Narrative

The Mid-Year Budget adjustment is intended to keep the Commission informed of significant changes that have occurred or likely are to occur in the current fiscal year.

The following has been accomplished in order to facilitate the Mid-Year Budget review:

- a. Monthly Financial Reports have been prepared and distributed to each Department Director;
- b. Detailed analysis has been conducted of each fund and each department within those funds;
- c. Meetings have been held with the Finance Director and Department Directors to discuss the year to date ("YTD") results and the level of funding required for remainder of the fiscal year; and
- d. The Town Manager and the Finance Director have met and reviewed the findings of the budget review process.

Limited, but significant adjustments are needed to be made to the Fiscal Year 2012/13 Budget for two funds: the General, and the Marina Fund. Such adjustments are discussed below and outlined numerically on the attached Mid-Year Budget Adjustment Itemization.

GENERAL FUND

In the General Fund, two revenue lines have changed significantly in the past few months. (1) At budget time, the Town expected to rent a location near the cell tower at Public Works to Metro PCS; however, that agreement did not go forward; and (2) In the past the Palm Beach County Sheriff Office ("PBSO") deputies refueled at the Public Works tanks; however, that policy has changed and the Town is no longer providing that service. Note that the reduction in revenue is balanced by a reduction in expense.

Three expense items have changed significantly. (1) The above mentioned change in fuel purchases; (2) The estimate of expense for the Retired Police Officer Pension is reduced, due to a miscommunication between the Town and the Pension Fund Administrator, and (3) The net of these two changes increases the Transfer to Fund Balance which keeps the budget in balance.

MARINA FUND

In the Marina Fund three revenue lines have changed significantly in the past few months. The staff has revised the estimates for: (1) Wet Slip Rentals; (2) Gasoline Sales; and (3) Diesel Sales.

Six expense items have changed significantly. The staff has revised the estimates for: (1) Repairs to the sea-wall; (2) Additional promotional activities has been planned, including a booth at the Palm Beach Boat Show; (3) Increased emphasis on the monthly Sunset Celebration; (4) Advertizing to encourage occupancy; (5) The above mentioned change in fuel purchases for both gasoline and diesel; and (6) The net of these changes decreasing the Transfer to Fund Balance which keeps the budget in balance.

OTHER FUNDS

It has been determined that no adjustments are needed at this time in the following funds: Insurance, Streets and Roads, Stormwater, Sanitation, and the Community Redevelopment Agency ("CRA").



Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 17, 2013

Agenda Item No. *Tab 10*

Agenda Title: Authorizing the Mayor to Execute a Phase 2 Scope of Work Agreement with Simmons & White, Inc. for Professional Services Associated with Lake Park Harbor Marina Soil and Paver Brick Settlement Correction Methods at the Seawall.

- [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[] PUBLIC HEARING ORDINANCE ON ____ READING
[X] **NEW BUSINESS**
[] OTHER: _____

Approved by Town Manager

DSS

Date:

4/3/13

Richard Pittman/Project Manager
Name/Title

| | | |
|---|--|---|
| Originating Department: Public Works | Costs: Not to Exceed \$35,500.00 Funding Source: Acct. # 800-46050 [X] Finance <i>DK</i> | Attachments: Proposal from Simmons & White Photo |
| Advertised: Date: _____ Paper: _____ [X] Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone <i>RP</i> or Not applicable in this case _____ Please initial one. |

Summary Explanation/Background:

The Town Commission is being asked to authorize the Mayor to execute an agreement with Simmons & White, Inc. for professional services associated with the methods of correction of the soil seepage that has led to the paver brick settlement problem at the Lake Park Harbor Marina.

Simmons & White is the Town's engineering consultant as approved by the Town Commission on February 02, 2011. Simmons & White has been tasked to lead a team of professionals to study the causes and extent of soil loss beneath the paver bricks and to suggest remediation options. The initial estimates of the actual remediation costs might be in the range of several hundred thousand

dollars and will require a public advertisement of the scope of work required for contractors to submit bids to accomplish the repairs.

The repair method recommendations require specialized professional consultant services beyond the expertise of Simmons & White. Simmons & White has selected three sub-consultants and the forensic investigation for remedial considerations has begun. Phase 1 involved assembly of sub-consultants, field observation of conditions exposed under the plywood walkway, research of sealant methods and materials, and review of seawall design and litigation documents. Phase 1 expenditures have totaled \$4,185.00.

Phase 2 consists of numerous tasks including further forensic investigations where a ground penetrating radar (GPR) contractor will be mobilized to report on sub-surface conditions and to quantify the extent of settlement not identified in the litigation documents. A marine contractor and/or soil remediation vendor may be called upon to demonstrate particular repair methods and materials. The consultant's tasks will continue with evaluation of remedial methods with sub-consultants, preparation of draft and final reports which will include options with estimated costs for remediation, remediation method recommendation, meeting with Commissioners on an individual basis if requested, and attendance at a Town Commission meeting. The tasks are itemized on an hourly basis not to exceed \$27,970.00.

Not included in the engineering services task estimates is the actual cost of using GPR services, estimated to be \$2,400 or less, and the actual cost of having a demonstration of potential materials and methodologies. A demonstration is thought to cost less than \$5,000. Both the GPR service and a demonstration of methods and material would be within the Town Manager's spending authority; however, staff felt it was best to disclose to the Town Commission the upper limit of costs associated with Phase 2 and therefore, this request is for the allocation of \$35,500.00 from the lawsuit settlement line item of the Marina Fund budget.

The final step in Phase 2 is presentation of the final report to the Town Commission. The Commission would be asked to vote on an option and authorize proceeding to Phase 3: preparation of bid documents, advertising, and receiving bids. Phase 4 would be the construction phase which would include construction site inspection services.

Estimated Costs Thru Phase 2:

| | |
|----------------|--------------------|
| Phase 1: | \$ 4,185.00 |
| Phase 2: | \$27,970.00 |
| GPR | \$ 2,400.00 |
| Demonstration: | <u>\$ 5,000.00</u> |
| TOTAL | \$39,555.00 |

These costs correspond to a reasonable percentage of the anticipated remediation project cost.

Recommended Motion: Authorize the Mayor to execute the attached Phase 2 Scope of Services agreement between the Town of Lake Park and Simmons & White, Incorporated.



Exhibit "G"
4/17/13

Town of Lake Park Town Commission

Agenda Request Form

Meeting Date: April 17, 2013

Agenda Item No. Tab 11

Agenda Title: Discussion About the Pending Site Plan for the Palm Beach County Scrub Area

- [] SPECIAL PRESENTATION/REPORTS [] CONSENT AGENDA
[] BOARD APPOINTMENT [] OLD BUSINESS
[] PUBLIC HEARING ORDINANCE ON ____ READING
[X] NEW BUSINESS
[] OTHER: _____

Approved by Town Manager DSS

Date: 3/28/13

DALE S. SUGERMAN / TOWN MANAGER

Name/Title

| | | |
|--|--|---|
| Originating Department: Commissioner Michael O'Rourke | Costs: \$ 0.00 Funding Source: Acct. # N/A [] Finance _____ | Attachments: NONE |
| Advertised: Date: _____ Paper: _____ [X] Not Required | All parties that have an interest in this agenda item must be notified of meeting date and time. The following box must be filled out to be on agenda. | Yes I have notified everyone _____ or Not applicable in this case _____ Please initial one. |

Summary Explanation/Background:

At the March 20, 2013 Town Commission meeting Commissioner O'Rourke asked that a future agenda have the topic of the pending site plan approval for the Palm Beach County Scrub Area Nature Center and parking lot placed on it for further discussion by the Town Commission.

Recommended Motion:

None, as this is just a topic for discussion.



AGENDA

Lake Park Town Commission
Town of Lake Park, Florida
Regular Commission Meeting
Wednesday, April 17, 2013, 7:00 p.m.
Lake Park Town Hall
535 Park Avenue

| | | |
|--------------------------------|---|----------------------|
| James DuBois | — | Mayor |
| Kimberly Glas-Castro | — | Vice-Mayor |
| Erin T. Flaherty | — | Commissioner |
| Michael O'Rourke | — | Commissioner |
| Kathleen Rapoza | — | Commissioner |
| | | |
| Dale S. Sugerman, Ph.D. | — | Town Manager |
| Thomas J. Baird, Esq. | — | Town Attorney |
| Vivian Mendez, CMC | — | Town Clerk |

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision of the Town Commission, with respect to any matter considered at this meeting, such interested person will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. *Persons with disabilities requiring accommodations in order to participate in the meeting should contact the Town Clerk's office by calling 881-3311 at least 48 hours in advance to request accommodations.*

A. CALL TO ORDER/ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. SPECIAL PRESENTATIONS/REPORTS

1. Proclamation Recognizing April 26, 2013 as National Arbor Day

Tab 1

D. PUBLIC COMMENT:

This time is provided for audience members to address items that do not appear on the Agenda. Please complete a comment card and provide it to the Town Clerk so speakers may be announced. Please remember comments are limited to a TOTAL of three minutes.

- E. **CONSENT AGENDA:** All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which event the item will be removed from the general order of business and considered in its normal sequence on the Agenda. Any person wishing to speak on an Agenda item is asked to complete a public comment card located on either side of the Chambers and given to the Town Clerk. Cards must be submitted before the item is discussed.

- | | |
|---|-------|
| 2. Regular Commission Meeting Minutes of April 3, 2013 | Tab 2 |
| 3. Commission Orientation Workshop Minutes of April 5, 2013 | Tab 3 |
| 4. Approving an Outside Activity of the Town Manager | Tab 4 |
| 5. Marina Security Services Contract Renewal – U.S. Security Associates, Inc. | Tab 5 |

F. **BOARD MEMBERSHIP APPOINTMENT**

- | | |
|--|-------|
| 6. Re-appointment to the Planning and Zoning Board | Tab 6 |
|--|-------|

G. **OLD BUSINESS:**

None

H. **PUBLIC HEARINGS - ORDINANCE ON FIRST READING:**

None

I. **PUBLIC HEARINGS – ORDINANCE ON SECOND READING/QUASI-JUDICIAL:**

- | | |
|--|-------|
| 7. Amending the Town Charter at Article IV, Section 4 Entitled “Filling of Vacancy on Commission”. | Tab 7 |
|--|-------|

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE TOWN CHARTER AT ARTICLE IV, SECTION 4 ENTITLED “FILLING OF VACANCY ON COMMISSION”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

J. **NEW BUSINESS:**

- | | |
|---|--------|
| 8. American Red Cross Community Courage Awards | Tab 8 |
| 9. Mid-Year Budget Review and Adjustments | Tab 9 |
| 10. Authorizing the Mayor to Execute a Phase 2 Scope of Work Agreement with Simmons & White, Inc. for Professional Services Associated with Lake Park Harbor Marina Soil and Paver Brick Settlement Correction Methods at the Seawall | Tab 10 |
| 11. Discussion about the Pending Site Plan for the Palm Beach County Scrub Area | Tab 11 |

K. **TOWN ATTORNEY, TOWN MANAGER, COMMISSIONER COMMENTS:**

L. **ADJOURNMENT**

Next Scheduled Regular Commission Meeting will be held on Wednesday, May 1, 2013